

Message

From: Haman, Patricia [Haman.Patricia@epa.gov]
Sent: 7/28/2022 7:12:10 PM
To: Niebling, William [Niebling.William@epa.gov]; Haman, Patricia [Haman.Patricia@epa.gov]
Subject: RE: Request for a TA Call on the Attached Legislation

Yes – just finished looking through the bill today.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I will send a note to the Markey crew this afternoon too.

From: Niebling, William <Niebling.William@epa.gov>
Sent: Thursday, July 28, 2022 12:30 PM
To: Haman, Patricia <Haman.Patricia@epa.gov>
Subject: FW: Request for a TA Call on the Attached Legislation

Pat - can you process from here? Thanks.

From: Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>
Sent: Wednesday, July 27, 2022 10:53 AM
To: Niebling, William <Niebling.William@epa.gov>; Bowman, Arthur (Markey) <Arthur_Bowman@markey.senate.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>; Melko, Joshua (Markey) <Joshua_Melko@markey.senate.gov>; Pal, Arnab (Markey) <Arnab_Pal@markey.senate.gov>
Subject: RE: Request for a TA Call on the Attached Legislation

Hi William,

Totally understand if folks are unavailable—no need to reassign anyone's workflow and we're happy to talk about the bill at their convenience. If there is an opportunity for an informal TA call at some point in the next few weeks, that would be great. Otherwise, we will take your note on the deadline, introduce as a discussion draft and continue to refine if this moves forward.

Thanks,

HV

From: Niebling, William <Niebling.William@epa.gov>
Sent: Tuesday, July 26, 2022 8:58 PM
To: Bowman, Arthur (Markey) <Arthur_Bowman@markey.senate.gov>
Cc: Haman, Patricia <Haman.Patricia@epa.gov>; Melko, Joshua (Markey) <Joshua_Melko@markey.senate.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>; Pal, Arnab (Markey) <Arnab_Pal@markey.senate.gov>
Subject: RE: Request for a TA Call on the Attached Legislation

Arthur –

By when are you hoping for technical assistance? This bill would establish some significant new obligations for EPA so it will take us some time to come to a complete understanding of the effects. A number of the staff who would be likely to develop such TA are engaged in time-critical regulatory development, so if we are going to pull them off that work I'd like to have a clear sense of the timeframe. I will note just from my own experience in OAR that the deadlines

established here for EPA (in Sections 4 and 6) are unrealistic given the significant procedural requirements around the mandatory actions.

-William

From: Bowman, Arthur (Markey) <Arthur_Bowman@markey.senate.gov>

Sent: Tuesday, July 26, 2022 4:57 PM

To: Niebling, William <Niebling.William@epa.gov>

Cc: Melko, Joshua (Markey) <Joshua_Melko@markey.senate.gov>; Vogel, Hannah (Markey) <Hannah_Vogel@markey.senate.gov>; Pal, Arnab (Markey) <Arnab_Pal@markey.senate.gov>

Subject: Request for a TA Call on the Attached Legislation

Hi William,

Senator Markey would like to introduce legislation to address the energy and environmental impacts of cryptocurrency mining. As this legislation would involve a significant amount of participation from EPA, we wanted to seek technical assistance on the bill from the Agency. Please find a draft attached.

As we are seeking to introduce ahead of the August recess, we kindly ask for TA via virtual call. We would specifically like to know the Agency's thoughts on the bill overall, and whether an appropriation (as it reads in the bill) or an expenditure of funds (draft language below) would be more appropriate in order for EPA to carry out the actions describe in Section 6 a-b.

Sec 6(c): EXPENDITURE OF FUNDS.— Of the funds provided in the Environmental Programs and Management account, not less than \$5,000,000 shall be provided for the Administrator to carry out the assessment described in section 1(a), promulgate the rule described in section 1(b), and make the revision to part 98 of title 40, Code of Federal Regulations described in section 2.

Thanks very much, and our sincere apologies for the short notice!

Arthur Bowman, III, PhD (They/Them or She/Her)

Congressional Science Fellow, Office of Senator Edward J. Markey, 255 Dirksen Building, (313)3087125